

Fred Sullivan  
Chairman  
  
Janine L. Burke  
Executive Director



Scott Avedisian  
Mayor

**Warwick Sewer Authority**  
125 Arthur W. Devine Boulevard  
Warwick, RI 02886  
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## **Board Meeting Minutes**

**Thursday, January 20, 2011, 5:30 p.m.**  
**Warwick Sewer Authority Conference Room**  
**125 Arthur W. Devine Boulevard**  
**Warwick, RI 02886**

<b>Board Members in attendance:</b>	<b>Board Members not present:</b>
Fred Sullivan, Chairman	Aaron Guckian, Secretary
Peter Ginaitt	
Gary Jarvis	<b>Guests:</b>
Steven Sylven, P.E.	Stephen Cary
	Joe Asciola, GRA, Inc.
	Alan Lussier, Dimeo Properties, Inc.
	Chris Brady, Dimeo Properties, Inc.
<b>Staff present:</b>	
Janine L. Burke, Executive Director	John Revens, WSA Legal Counsel
Joel F. Burke, Superintendent	Patrick Doyle, Assistant Superintendent
Lynda Ortiz, Customer Service Manager	Mathew Solitro, Collections System Manager
BettyAnne Rossi, Pretreatment Coordinator	Lynn F. Owens, Administrative Coordinator

**1. Call to Order** At 5:31 p.m. Chairman Sullivan called this meeting to order. He stated that Board member Aaron Guckian's wife gave birth to a baby girl today.

### **2. Approval of Minutes**

#### **a. Approval of minutes from the regular meeting held December 16, 2010.**

ACTION: Mr. Sylven motioned to approve the minutes. Mr. Ginaitt seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Sylven and Jarvis voted in favor of the motion. Motion approved.

### **3. March 30, 2010 Pawtuxet River Flooding**

#### **a. Financial Report of Flood Expenses**

Director Burke stated she provided the Board with a Flood expenses report up to and including Hart invoice #14. She stated not including

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payments made directly by The Trust, we have spent about \$6.9 Million on the wastewater treatment facility and pumping stations and another \$300,000 on road repairs.

Director Burke stated we are continuing to work with FEMA on the last Project Worksheet for all the work done by Hart Engineering.

Director Burke stated last Monday EPA held a press conference at WSA announcing the award of grant funds for Energy Efficiency Projects. She stated as soon as she has the official paperwork, she will put it before the Board for approval. She stated she will also seek the Board's consent to submit several grant applications for FEMA Hazard Mitigation Grant Program money. She said it looks like there will be six (6) projects that WSA will submit as well as a voluntary buy-out program for certain areas proposed by the City Planning Department.

Director Burke stated the bid is out on the street for engineering services for flood protection and mitigation design for the wastewater treatment facility. She stated the costs of the engineering study will be covered by that CDBG grant the City received for disaster relief.

**b. Award of Bid No. #2011-193 Sale of Two (2) City-Owned Surplus Godwin Pumps & Equipment**

**ACTION:** Director Burke passed out a summary report of pumps purchased for the flood emergency. Superintendent Joel Burke reviewed with the Board the pump purchases, the Trust's reimbursement for the equipment, DPW's purchase of one of the pumps, and WSA's efforts to sell two surplus Godwin pumps and equipment. He stated WSA will keep one 8" pump and one 6" pump to be paid for using renewal and replacement funds. Superintendent Burke stated Hart Engineering submitted the sole bid; additionally, today Mr. Ramos increased his offer to purchase the pumps.

Discussion continued about Purchasing Department procedure and the need to replace flood emergency funds used to purchase the pumps, as well as the Board's desire to incentivize the purchase to neighboring communities or RIEMA. Superintendent Burke stated he will speak with the purchasing director about the bid results and options available.

No action taken on this item.

**c. Increase value of purchase order for flood reconstruction electrical work: Kent County Electrical Services; \$38,000.00.**

**ACTION:** Superintendent Burke stated additional funds are needed to complete all electrical work related to flood recovery and flood mitigation efforts. He stated project worksheets have been written and submitted to

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FEMA for reimbursement (90%). Mr. Sylven asked if the Superintendent anticipates any more work beyond this. Superintendent Burke stated no, and the vendor understands this. Chairman Sullivan expressed concern about the perception involving adding \$138,000 to what was originally estimated by staff to be a \$20,000 contract.

Mr. Sylven moved approval. Mr. Jarvis seconded the motion. Chairman Sullivan, Messrs. Sylven and Jarvis voted in favor of the motion. Mr. Ginaitt unavailable for vote. Motion approved.

### **4. Operation and Maintenance Division**

Mr. Sylven and the Board congratulated Superintendent Burke for his selection as a 2010 Regional EPA Wastewater Treatment Plant Operator Award recipient.

- a. Increase value of purchase order for general maintenance electrical work: Kent County Electrical Services, \$3,000.00.

ACTION: Mr. Jarvis moved approval. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Sylven and Jarvis voted in favor of the motion. Mr. Ginaitt not available for vote. Motion approved.

- b. Purchase Authorization: Rebuild Gaspee pump station sewage pump, A.W. Chesterton Company, \$6,135.00.

ACTION: Mr. Jarvis moved approval of the repair of the pump. Mr. Sylven seconded the motion. Mr. Ginaitt voted in favor of the motion contingent on a one year warranty. Chairman Sullivan, Messrs. Ginaitt, Sylven and Jarvis voted in favor of the motion with a one year warranty. Motion approved.

### **5. Construction Division**

- a. Contract No. 85A Governor Francis Farms Phase II: Change Order No. 3: D'Ambra Construction Co., Inc., 2010 asphalt and diesel fuel adjustment: \$23,269.00.

ACTION: Mr. Sylven moved to accept the change order. Mr. Ginaitt seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Sylven and Jarvis voted in favor of the motion. Motion approved.

- b. Sewer Project Update Report
  - i. Governor Francis Farms Phase II
  - ii. Bayside IV/Longmeadow

Mr. Solitro provided an update on activity in the project areas, including National Grid's timeline for installation of three-phase service to the

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Kristen Court pumping station. Mr. Solitro provided an update on pending sewer connections at Norton's Marina and Bayside apartments.

- c. Steve Cary (former WSA licensed drainlayer) to appeal to the Board for renewal of his drainlayer's license.

ACTION: Mr. Cary stated he was surprised the Board refused to renew his license because he was late in repaying the WSA. He said his payments were late because he had a slow year. Mr. Sylven reminded Mr. Cary that he did not repay his debt to WSA within the time frame set as a condition of his probation.

Mr. Ginaitt reminded Mr. Cary that in December 2009 the Board looked at a way to mitigate a problematic situation. He stated the Board went over and above to make a provision for probation rather than the recommended revocation.

Mr. Sylven stated we don't want to take away your livelihood. He stated he was willing to rescind the previous Board action and suspend Mr. Cary's license for six months.

Director Burke stated there were performance issues associated with Mr. Cary's probation. She reminded Mr. Cary that he must be more vigilant in his adherence to WSA guidelines for sewer connections; she said we've had some issues in the past with his performance. She said his name will be put on a list of WSA approved drainlayers that our customers rely on when selecting a drainlayer to connect to the public sewer system.

Mr. Ginaitt encouraged staff to solidify a practice to follow when someone else falls short of full compliance with WSA standards for sewer connections.

Mr. Jarvis agreed to allow Mr. Cary to renew his license on July 1<sup>st</sup> with the stipulation that he strictly adhere to WSA standards; substandard work is not allowed by any drainlayer. He cautioned him that the Board will not be lenient if Mr. Cary is called before the Board again, and encouraged him to be a good representative of WSA.

Mr. Sylven made a motion to rescind the previous Board decision to not renew Mr. Cary's drainlayer's license, and instead suspend his license for six months. He said since Mr. Cary made a good faith effort to repay WSA, Mr. Cary should be allowed to reapply for his license in six months (July 1). Mr. Jarvis seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Sylven and Jarvis voted in favor of the motion. Motion approved.

Mr. Cary thanked the Board for their consideration.

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**6. Industrial Pretreatment Program****a. Abatement of Pretreatment Charges**

Name	Service Address	Reason	Amount
Walmart Photo Lab	650 Bald Hill Road Plat 264 Lot 6	Tax Collector's office failed to file claim for bankruptcy; not eligible for payment	\$350.00
Governor Francis Mobil	1240 Warwick Avenue Plat 307 Lot 408	Business closed October 2008. Owner unable to pay.	\$648.96
Power Brakes Inc.	2672 West Shore Rd. Plat 362 Lot 436	Business closed. Tax Collector made unsuccessful efforts to collect.	\$300.00
Boat World	2680 West Shore Rd. Plat 362 Lot 595	Business closed. Tax Collector made unsuccessful efforts to collect.	\$234.93
C & F Restaurant Group (Frankie's Restaurant)	1690 West Shore Rd. Plat 357 Lot 1	Business closed. Tax Collector made unsuccessful efforts to collect.	\$117.26
Izzy's Kosher Catering	1800 Post Road Plat 322 Lot 208	Business closed. Tax Collector made unsuccessful efforts to collect.	\$400.00
Rapid Developments c/o Huiting Sun	80 Lambert Lind Hwy Plat 273 Lot 242	Business closed. Tax Collector made unsuccessful efforts to collect.	\$800.00
IBC Sales Corp. (Interstate Brands – Sunbeam)	1150 Jefferson Blvd. Plat 268 Lot 526	Bankruptcy September 2004. Court ordered unsecured debt be discharged. Business is paying post-petition bills	\$350.00
Buffets Inc.	1245 Bald Hill Road Plat 254 Lot 1	Bankruptcy January 2008. Court ordered judgment for \$1,022.29 paid December 2010. Business is paying post-petition bills.	\$4,700.14
A.J. Martin Inc. Seafood	54 Graystone Street Plat 278 Lot 23	Business closed June 2009. All assets sold and paid to creditors.	\$370.18
Warwick Banquet Hall	1035 West Shore Rd. Plat 332 Lot 859	Business sold 2005. Building demolished. Tax Collector made unsuccessful efforts to collect.	\$500.00

ACTION: Director Burke, Pretreatment Coordinator BettyAnne Rossi and Customer Service Manager Lynda Ortiz explained to the Board the extensive collection efforts made by the WSA and the Tax Collector's office. Director Burke stated we have no hope of ever collecting these funds and we are asking the Board to abate in order to clean up our records. She said we've learned a lot through our attempts to collect this debt. She said changes will be made to the billing process going forward, including quarterly billing, and we are examining the use of liens and personal assurances to guarantee payment.

Mr. Jarvis moved to abate these charges per staff recommendation. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Sylven and Jarvis voted in favor of the motion. Motion approved.

## **7. Billing Services Division**

### **a. Sewer Usage Abatement**

<b>Name</b>	<b>Service Address</b>	<b>Reason</b>	<b>Amount</b>
Beacon Mutual Insurance	1 Beacon Centre Plat 276 Lot 0008	Outside water usage; irrigation well malfunction	\$2,319.72

ACTION: Mr. Alan Lussier and Mr. Chris Brady, Dimeo Properties, Inc., were present to ask for an abatement of a portion of the sewer charges related to water used for irrigation that was not returned to the WSA for treatment. They agreed to install a city certified deduct meter to properly record outside water consumption if/when their onsite well fails again and they need to use city water for irrigation.

Mr. Jarvis moved to approve this one-time abatement, with the comment that no future consideration will be given unless the property owner installs a water deduct meter that meets Warwick Water Department standards. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Sylven and Jarvis voted in favor of the motion. Motion approved.

### **b. Cowesett Road Sewer Assessment Abatements/Resolutions**

<b>Name</b>	<b>Service Address</b>	<b>Reason</b>	<b>Amount</b>
John J. Richmond Suzanne H. Richmond	435 Cowesett Road Plat 237 Lot 0351	Assess at time of connection or sale or transfer of the property, at the rate in effect at that time	\$8,200.00
Charles D. McPhillips	445 Cowesett Road Plat 237 Lot 0353	Assess at time of connection or sale or transfer of the property, at the rate in effect at that time	\$8,036.00
Raymond Morgan Joan Morgan	v/l Ginger Street Plat 237 Lot 0354	Assess at time of connection or sale or transfer of the property, at the rate in effect at that time	\$8,118.00

ACTION: Mr. Ginaitt moved approval. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Sylven and Jarvis voted in favor of the motion. Motion approved.

## **8. Administrative Items**

### **a. Director's Report**

- i. Financial Report
- ii. Administrative Schedule

ACTION: Director Burke stated the FY10 and FY11 numbers for the end of December were not yet available so she would provide that information at a later time. She stated we have pretty much resolved all Flood charges and charges that will not be covered by insurance for the FY10 budget. She stated these adjustments are being made so as to close the books on FY10.

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Director Burke stated she will be attending the annual New England Water Environment Association meeting in Boston next week. She mentioned that she is a charter member of the NEWEA Water Utility Council which is doing some good work on legislative and funding issues. She stated Superintendent Joel Burke will receive his EPA award on Wednesday.

Director Burke stated Customer Services Manager Lynda Ortiz will be meeting with the Rhode Island Association of Realtors on January 26<sup>th</sup> to discuss the requirements to connect to the sewer system upon sale or transfer of a property. She stated we've gotten good feedback from the Association; unfortunately, a lot of the realtors claimed they did not know about the requirement to connect within one year. Director Burke stated in an effort to be proactive, we are now issuing a thirty-day notice (in addition to our six-month notices) following the sale or transfer, advising the new property owner of the connection requirement. (WSA continues to send a copy of the connection law when realtors/lawyers/banks request a listing of outstanding sewer charges to be reconciled prior to sale or transfer of property.)

Director Burke stated she will be in Florida for the March meeting. She stated she is going down to see the Red Sox in Spring Training and assumed the Board meeting would be the 4<sup>th</sup> Thursday of the month but it is the second Wednesday of the month in March. She said there was no need to reschedule, between the Chairman and staff, we should be able to take care of a lot of business without her.

### **b. Chairman's Report**

- i. WSA/IPP regulations regarding dentists  
ACTION: Discussion only.

At the request of Chairman Sullivan, Pretreatment Coordinator and Laboratory Director BettyAnne Rossi prepared a listing of dental locations (41) in Warwick detailing those with sewer availability and those connected to Warwick sewers. Ms. Rossi stated twenty-nine locations are currently permitted, for various reasons. She stated many of these sites were permitted in the 90's because of their use of silver and x-ray processing; recycling and digital imaging have reduced the need for permitting in this area. She stated new EPA concerns focus on mercury in amalgam fillings. She stated in 2004, RI (and nine other states) passed a mercury education and reduction law to minimize the amount of mercury entering the state and the environment, focusing on proper labeling, tracking and disposal of mercury. She stated as of July 2008 all dentists must use amalgam separators to reduce the amount of mercury that enters the waste stream and the wastewater treatment plant, thereby lowering the amount that leaves the plant into surface waters and in biosolids.

Chairman Sullivan discussed with Ms. Rossi the permitting fees charged for all dentists, whether they are connected to sewers or not, and the potential for higher permit fees as WSA assumes regulatory oversight from RIDEM.

**c. Sewer Assessment Committee Report**

Mr. Jarvis reported that the Committee had its second meeting a few weeks ago and will meet again tomorrow morning. He stated Anthony Corrente has done some research and ran some numbers. He stated based on the discussion we had about changing the way we do some of the assessments to try to make it more equitable, assessing based on zoning designations makes more sense in terms of being more equitable, and it gives us the ability to have a tiered system for commercial rates, etc. He said he had reached out to the Council President to try to get a member of the Council to become a member of this Committee, or at least sit in on our meetings to understand what we are trying to do. He said he would reach out to him again; he was fully agreeable and accepting of the idea, understands that we're working on it and encourages us to do so, but as we have discussed, it makes a lot of sense to have them commit on it. He said he would love to see this happen right away. He suggested we not push to get the next assessments out until we get our arms around these changes. He said if we took our time and really put something together he's hoping that if not by the next meeting, by the following meeting we have something to propose. He said according to the numbers that Tony ran, there were not that many properties that went up, there were some that went down and the majority stayed about the same; from an equitable standpoint it makes a lot of sense. He said if you do it in that regard, you take away some of the need for the Sewer Board of Review.

Director Burke explained the concept of having a minimum and a maximum assessment per zone. Mr. Jarvis said we lose a lot of revenue through appeals that we were counting on for a project. He said if it's zoned the same, you pay the same. He said we've got some good ideas going; tomorrow the Committee was hoping to cement a bit more what we want to present to the Board. He said his goal is to have someone from the Council at our next meeting, get them on board. He said he thinks we have a lot of latitude to adjust our method of assessment now so let's do it. Director Burke stated this is definitely a better way. Mr. Jarvis said changes would apply to Governor Francis II, Longmeadow and any other projects we are able to do.

Director Burke stated she would like Dave Bebyn to look at our proposed changes before it is presented to the Board.

The January 21<sup>st</sup> assessment committee meeting was rescheduled to January 28<sup>th</sup> due to forecasted snow for tomorrow morning.



## **9. Consent Agenda – Correspondence**

- a. USEPA to WSA regarding Superintendent Joel F. Burke's selection as 2010 Regional EPA Wastewater Treatment Plant Operator Award recipient (12-14-10)
- b. WSA to CRMC: December 2010 Quarter Mandatory Sewer Connection Program Report Phase I (1-5-11)
- c. RIDEM regarding Warwick WWTF, 2010 Compliance Evaluation Inspection (1-6-11)
- d. USEPA news release on RI Office of Energy Resources funding of WSA energy efficiency upgrades (1-10-11)
- e. WSA Financial Report to City Council (1-11-11)
- f. WSA Director's monthly report to Mayor Avedisian (1-13-11)

ACTION: Mr. Jarvis moved to accept the consent agenda items. Mr. Ginaitt seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Sylven and Jarvis voted in favor of the motion. Motion approved.

## **10. Consent Agenda – Drainlayer License Renewals (2011)**

- a. ELJ, Inc., 703 Metacom Avenue, Bristol
- b. Site Resources, LLC, 1130 Ten Rod Road, Suite E-102, N. Kingstown
- c. Patrick Diffley, d/b/a Diffley & Daughters Septic Sewer & Drain, P. O. Box 183, E. Greenwich
- d. David Merriam, P. O. Box 8794, Warwick
- e. Armando Ricci, Ricci Drainlaying Co., Inc., 19 Lily Street, Providence
- f. Norman P. Marsocci/Raven Construction, Inc., 2512 Flat River Rd., Coventry
- g. D'Ambra Construction Co., Inc., 800 Jefferson Blvd., Warwick
- h. James Butler, 182 South Shore Avenue, Warwick
- i. 2011 WSA Drain Layer License Renewal listing (1-6-11)

ACTION: Mr. Jarvis moved to accept the drainlayer consent agenda items. Mr. Ginaitt seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Sylven and Jarvis voted in favor of the motion. Motion approved.

## **11. New Business**

Ms. Rossi stated since July 1<sup>st</sup> IPP has collected \$13,000 in fine money and would like to discuss using those funds for the Caruso scholarship. She stated contributing to a fisheries reseeding program had been discussed last year as well; Ms. Rossi will discuss outreach options with the Board at an upcoming meeting.

Mr. Ginaitt asked what's being done about the billboard sign revenues. Director Burke stated the lease funds were transferred to the City last year. She said she will be preparing a memo to the Board on available grants and funding of the grants.

## **12. Old Business**

### **a. Buttonwoods Beach Association/Buttonwoods Fire District**

Chairman Sullivan asked legal counsel for an update on this matter (next meeting).

### **b. WSA Deferment Policy**

### **c. Mandatory Sewer Connection Program**

### **d. Sewer Tie-In Loan Fund**

Director Burke stated we could close on the \$150,000 loan funds as early as Monday. She said the Board has approved the program; WSA must work with RI Housing to put the process on paper. She said we may have an additional source of revenue to assist with connections. She said a press release is being prepared on loan availability.

### **e. Facilities Plan Update**

### **f. Amendments to By-Laws**

### **g. Modifications to Septage Hauling Regulations**

Chairman Sullivan discussed the permitting of septage haulers, not only for the disposal of waste at WSA, but for the collection of waste from any Warwick onsite system, regardless of where the hauler dumps the waste. He stated this is a good way to identify failed systems in the City. Ms. Rossi said the State is responsible for tracking all the waste that travels the roadways through the permitting of septage transport. Director Burke stated she will find out how the State tracks the information. She stated detailed information will help WSA identify problem onsite systems. Chairman Sullivan stated this information would be advantageous to everyone throughout the State, particularly with enforcement of the Cesspool Phaseout Act. The matter will remain on the agenda under Old Business.

### **h. Flood Mitigation Efforts**

## **13. PUBLIC COMMENT PERIOD**

**Comments only may be addressed to the WSA Board who will take them under advisement.**

No one in attendance to speak during the public comment period.

## **14. Adjournment**

Mr. Ginaitt moved to adjourn this meeting. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Sylven and Jarvis voted in favor of the motion. Motion approved.

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At 7:35 p.m. this meeting ended.

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Aaron Guckian, Secretary

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Date